IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Writ Petition No.318 of 2007

Shrirang Pralhad Gaikwad — Petitioner
Vs.
M/s.Aakar Enterprises & anr. — Respondents

Mr.S.R.Nargolkar i/b. Mrs.Rewa Nargolkar for petitioner.

Mr.R.Satyanarayana for resp.no.1.

Mr.P.A.Pol, APP for State.

CORAM: B.H.MARLAPALLE, J.

October 26, 2007.

P.C.

. Heard Mr.Nargolkar, the learned counsel for the petitioner - accused. Though multiple reliefs have been prayed in this petition, the only relief which requires consideration is against the order dated 18/11/2006.

. On 18/11/2006 the accused submitted an application in C.C. No.946/2003 praying for issuance of fresh summons of witness against Purushottam Tukaram Jawalkar and the said application came to be rejected by the trial Court on 18/11/2006. Mr.Nargolkar submitted that earlier summons against the said witness could not be served and, therefore,

a fresh application was submitted. The order rejecting the said application does not give satisfactory reasons and the defence evidence was not closed in any case. Mr.Satyanarayana, the learned counsel for the original complainant does not dispute this position.

. Hence it is directed that Shri Purushottam Tukaram Jawalkar be summoned as the defence witness in Criminal Case No.946 of 2003 and fresh summons be issued within four weeks from today. Trial of the complaint is expedited.

. Petition disposed off in terms of the above directions.

. Writ to go to the trial Court forthwith.

(B.H.MARL